

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Sections 15.35 and 15.253 of the)	ET Docket No. 11-90
Commission's Rules Regarding Operation of)	RM-11555
Radar Systems in the 76-77 GHz Band.)	
)	
Amendment of Section 15.253 of the)	
Commission's Rules to Permit Fixed)	ET Docket No. 10-28
Use of Radar in the 76-77 GHz Band.)	
)	

OPPOSITION OF AUTOLIV ACTIVE SAFETY SYSTEMS

Autoliv Active Safety Systems division of Autoliv Inc. submits these comments in opposition to the Petition for Partial Reconsideration of NavTechRadar¹ in the above-captioned proceeding.

Autoliv's Interest

Headquartered in Stockholm, Autoliv Inc. develops and manufactures automotive safety systems for all major automotive manufacturers in the world. Autoliv is the world's largest supplier of air bags and seat belts. Together with its joint ventures, Autoliv has more than 80 facilities with 43,000 employees in 29 vehicle-producing countries. In addition, the company has technical centers in nine countries around the world, including 20 test tracks, more than any other automotive safety supplier. Sales in 2011 amounted to US\$ 8.2 billion.

In the United States, Autoliv has facilities in Brigham City, Promontory, Tremonton and Ogden UT; Goleta CA; Lowell MA; and Southfield MI. In 2008, Autoliv acquired the automotive radar business from Tyco Electronics, and in 2010 acquired Visteon's radar system business. Autoliv's

¹ 77 FR 68722.

products include industry-leading Blind Spot and Rear Cross Traffic Detection Systems as well as high performance Radar, Night Vision, and Mono/Stereo Vision Systems.

Autoliv recently acquired an exclusive license for monovision based algorithms for Traffic Sign Recognition (TSR), Lane Detection and Light Source Recognition. By monitoring traffic signs, TSR helps the driver to keep the correct speed and follow other traffic rules; “Lane Detection” is used to warn against unintended (inadvertent) lane changes, and “Light Source Recognition” to automatically identify tail and head lights when vehicles meet or pass each other to avoid distracting other drivers.

Summary of NavTech Proposal

In the Report and Order in the proceeding², the Commission modified Section 15.253(c) to include this language:

Operation within the band 76.0–77.0 GHz is restricted to vehicle-mounted field disturbance sensors used as vehicle radar systems and to fixed radar systems used at airport locations for foreign object debris detection on runways and for monitoring aircraft as well as service vehicles on taxiways and other airport vehicle service areas that have no public vehicle access.

Although NavTech does not propose any specific language changes, it appears that NavTech seeks to delete or modify that provision.

Autoliv’s Position on the NavTech Proposal

Autoliv opposes the NavTech petition for two reasons. First, it is procedurally defective because it violates the requirements of Section 1.429 of the Commission’s Rules. Second, it is technically defective because it would result in interference to automotive radars operating in the 77 GHz band.

² Report and Order in ET Docket No. 11-90, FCC 12-72, released July 5, 2012.

Section 1.429 of the Commission's Rules requires that Petitions for Reconsideration that rely on facts not previously been presented to the Commission must either relate to changed circumstances or facts that were previously unknown to the petitioner. NavTech failed to participate in this rulemaking proceeding prior to filing its petition.³ NavTech's petition fails to show that it was previously unaware of the substantive issues claimed in its petition, or that circumstances have changed. NavTech even fails to explain why it did not participate in the earlier phase of this proceeding. Consequently, the petition does not satisfy the procedural requirements of Section 1.429.

More significantly, however, NavTech fails to show that its proposed use of fixed radars at unlimited locations can coexist with vehicular radars, without causing interference. Indeed, Navtech has barely discussed the matter of coexistence in its petition. The Commission has already recognized that interference from fixed radars to vehicular radars is a possibility⁴, and the burden is on NavTech to show that interference will not occur. NavTech has not met that burden.

NavTech has also failed to show why the 76-77 GHz band is essential for its applications. Before the Commission can seriously consider fixed radars in the 76-77 GHz band, it must be convinced that there are no other suitable bands. The burden is on NavTech to make such a showing.

The applications that NavTech proposes for its radars do not fall into the traditional Part 15 categories of widely deployed consumer products. Rather, they are industrial and governmental applications. Some applications would appear to be consistent with the scope of the Intelligent Transportation Systems Radio Service in Subpart M of Part 90 of the FCC Rules. Other proposed applications are consistent with the Radiolocation Service of Subpart F of Part 90. NavTech

³ Appendix A of the Report and Order lists parties that participated. NavTech is not listed.

⁴ "Limiting the location of fixed radars in this way should prevent them from illuminating public roads, and thus reduce the likelihood of interference to vehicular radars...." Report and Order at para. 24.

should justify why the frequencies available in those services do not meet the needs it has outlined. It should provide those justifications in a new petition for rulemaking to amend Part 90, not in a petition for reconsideration of a decision to amend Part 15.

Conclusion

In summary, the NavTech petition should be dismissed because it is both procedurally and technically defective. It violates the requirements of Section 1.429 that apply to petitions for reconsideration in a rulemaking proceeding. It fails to address the matter of interference to vehicular radars. It fails to justify the need for the particular frequency band 76-77 GHz. And it proposes to use Part 15 for industrial and governmental applications that are more properly considered in Part 90.

Respectfully Submitted,

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December 3, 2012

CERTIFICATE OF SERVICE

I, Jeffrey Krauss, do hereby certify that I sent by e-mail a copy of the foregoing
OPPOSITION OF AUTOLIV ACTIVE SAFETY SYSTEMS to the following, this 3rd day of
December, 2012.

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